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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/544,704	04/07/2000	Yossef Tsuria	U013185-5	9892
140	7590	08/18/2004	EXAMINER	
LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023			ABRISHAMKAR, KAVEH	
			ART UNIT	PAPER NUMBER
			2131	
DATE MAILED: 08/18/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Advisory Action</b>	<b>Application No.</b> 09/544,704	<b>Applicant(s)</b> TSURIA, YOSSEF	
	<b>Examiner</b> Kaveh Abrishamkar	<b>Art Unit</b> 2131	

**--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

THE REPLY FILED 16 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☒ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Attachment.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 1-30.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☐ Other: \_\_\_\_\_

***Advisory Action***

This office action is in response to the after-final amendment filed on July 16, 2004.

Applicant's request for consideration has been fully considered but they are not persuasive because of the following reasons:

1. The applicants in regards to claims 1-12 and 14 argue that the cited prior art [Linnartz U.S. Patent 6,314,518] does not teach receiving "a signal indicating that a new watermark definition is to be used." This argument is not found persuasive. The actual signal that is received is not defined to perform any function but inform the reader that there is a watermark to be examined in the electronic representation. Linnartz discloses that the system provides detection of the watermark, and communicates the result back to the receiving device. This communication is a signal that provides the receiving device knowledge of a new watermark (new watermark definition). Furthermore, Linnartz discloses a decoder device for communicating with the receiver device for transmitting the watermark information. This watermark information can be new watermark information that is being communicated to the receiver so that the receiver can examine the electronic representation with the watermark information in store. Linnartz (U.S. Patent 6,314,518) in combination with Bloom et al. (U.S. Patent 6,332,194) do not teach "receiving a signal indicating that a second watermark definition is to be used for examining a electronic representation." This argument is not found persuasive. As stated above, the actual signal that is received is not defined to perform any function but inform the reader that there is a watermark to be examined in the

electronic representation. Linnartz discloses that the system provides detection of the watermark, and communicates the result back to the receiving device. This communication is a signal that provides the receiving device knowledge of a new watermark (new watermark definition). Furthermore, Linnartz discloses a decoder device for use in the arrangement is characterized in that the linking means are arranged for communicating with the receiver device for transmitting the watermark information. This watermark information can be new watermark information that is being communicated to the receiver so that the receiver can examine the electronic representation with the watermark information in store. This new watermark information could be a second watermark definition disclosed by Bloom. The signal containing watermark information that is generated when a watermark is detected and sent to a receiver should function the same regardless of when the watermark is inserted or how many watermarks are present.

2. Applicant added new claims 31 – 46. These newly added claims require further consideration because either the scope of the previous claims have been changed when interpreting existing claim limitations or the amendment does not place the application in condition for allowance, some examples are:

Claim 31 limitation c) "examining at least a second electronic representation of an item for a watermark in accordance with the second watermark definition, and not examining the item for a watermark in accordance with the first watermark definition";

Claim 40 limitation d) "wherein, after the watermark definition signal receiver stores the new watermark definition in the watermark definition store, the watermark examination

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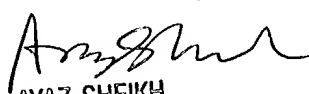
apparatus examines in accordance with the new watermark definition and not in accordance with a watermark definition previously stored in the watermark definition store".

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 703-305-8892. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KA  
08/09/04

  
AYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100